

RCS# 6045  
9/20/04  
2:55 PM

Atlanta City Council

Regular Session

03-O-1469

ABANDON PORTIONS OF VENABLE STREET FROM  
ALEXANDER STREET TO MILLS STREET  
FILE

YEAS: 14  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

03-O-1469

**AN ORDINANCE BY**

**03- O -1469**

COUNCIL MEMBER DEBI STARNES

AN ORDINANCE TO ABANDON THE FOLLOWING PORTIONS OF PROPERTY, BEING MORE SPECIFICALLY DESCRIBED IN THE LEGAL DESCRIPTION ATTACHED AS EXHIBIT "A," and THE PLAT ATTACHED AS EXHIBIT "B": (1) VENABLE STREET FROM ALEXANDER STREET TO MILLS STREET, SAID PROPERTY LYING AND BEING IN LAND LOT 79 OF DISTRICT 14, FULTON COUNTY, GEORGIA AND FOR OTHER PURPOSES.

WHEREAS, the Coca Cola Company (the "Applicant"), one of the abutting property owners, will file a formal petition with the City of Atlanta (the "City") to abandon the above-referenced property, said application containing the consent of the abutting property owners to the abandonment; and

WHEREAS, this abandonment request will be reviewed by the proper related agencies of the City and with Public Utilities; and

WHEREAS, the Applicant agrees to compensate the City for the fair market value of the City's interest in the property proposed for abandonment.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: The Applicant will petition for the above-referenced street abandonment, and pay a fee of \$2,500.00, as specified by Section 138-9(a)(5) of the City of Atlanta Code of Ordinances.

SECTION 2: That the Applicant will be required to meet all of the requirements of Section 138-9 of the City of Atlanta Code of Ordinances.

SECTION 3: That the portion of the above-referenced property, whose legal description is as shown on the attached Exhibit "A," is hereby declared no longer useful or necessary for the public's use and convenience.

SECTION 4: The Mayor, or her designee, shall be and is hereby authorized, after review by the appropriate agencies of the City, to appraise the fair market value of the right-of-way described herein, and prepare an appraisal report setting forth said fair market value.

SECTION 5: That any and all reservations for existing public or private utility easements shall remain in effect for the purpose of entering the property to operate, maintain, or replace said utility facilities. These easements shall remain in effect until such time that said utilities are abandoned, removed, or relocated, at which time, said easements shall expire.

SECTION 6: That all costs associated with the appraisal report shall be charged to and paid from an account to be established by the Department of Finance, utilizing the funds paid by the applicant in connection with its abandonment request;

SECTION 7: That the Mayor is hereby authorized to execute a Quitclaim Deed to Applicant for the portion of the above-described property abandoned herein, upon receipt of payment in the amount of the appraised value.

SECTION 8: The date of execution of this Ordinance by the Mayor shall be the effective date of abandonment. Applicant agrees to indemnify and hold the City harmless for any act or omission to act on its part after the portion of the street described herein are abandoned.

SECTION 9: That all Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

## **EXHIBIT A**

- Legal Description to be provided by applicant.

**EXHIBIT B**

- Plat to be provided by applicant.

*LEGAL DESCRIPTION*  
*VENABLE STREET R/W ABANDONMENT*  
*CITY OF ATLANTA*

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 79 OF THE 14TH DISTRICT, CITY OF ATLANTA, FULTON COUNTY, GEORGIA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF VENABLE STREET (30' R/W) WITH THE NORTHERLY RIGHT-OF-WAY OF ALEXANDER STREET (R/W VARIES) SAID POINT BEING THE POINT OF BEGINNING;

THENCE NORTH 00 DEGREES 07 MINUTES 38 SECONDS EAST ALONG THE SAID WESTERLY RIGHT-OF-WAY OF VENABLE STREET FOR A DISTANCE OF 200.00 FEET TO ITS INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY OF MILLS STREET (R/W VARIES);

THENCE SOUTH 89 DEGEES 28 MINUTES 43 SECONDS EAST FOR A DISTANCE OF 30.00 FEET TO THE INTERSECTION OF THE SAID SOUTHERLY RIGHT-OF-WAY OF MILLS STREET WITH THE EASTERLY RIGHT-OF-WAY OF VENABLE STREET;

THENCE SOUTH 00 DEGREES 07 MINUTES 38 SECONDS WEST ALONG THE SAID EASTERLY RIGHT-OF-WAY OF VENABLE STREET FOR A DISTANCE OF 200.00 FEET TO ITS INTERSECTION WITH THE SAID NORTHERLY RIGHT-OF-WAY OF ALEXANDER STREET;

THENCE NORTH 89 DEGREES 28 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 30.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINS 6,000 SQUARE FEET OR 0.13774 ACRES .

#13

03-0-1469

(Do Not Write Above This Line)

An Ordinance by Councilmember  
Debi Starnes:

To abandon the following portions  
of property, being more  
specifically described in the legal  
description attached as Exhibit  
"A," and the plat attached as  
Exhibit "B": (1) Venable Street  
from Alexander Street to Mills  
Street, said property lying and  
being in Land Lot 79 of District  
14, Fulton County, Georgia; and  
for other purposes.

FILED BY  
CITY COUNCIL

SEP 20 2004

- ☐ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☒ PERSONAL PAPER REFER

Date Referred 09/05/03

Referred To: City Utilities

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred To \_\_\_\_\_

Committee

Date

Chair

Committee Date  
Supt. 30, 2003  
H. Stair

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members

Action  
Fav, Adv, Hold (see rev. side)  
Other

Members

Refer To

Refer To

Committee Date  
Supt. 30, 2003  
H. Stair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Action  
Fav, Adv, Hold (see rev. side)  
Other

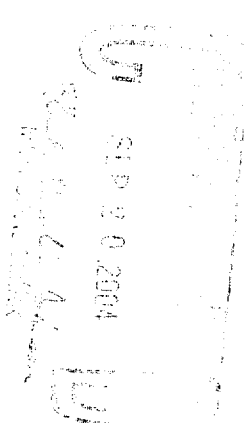
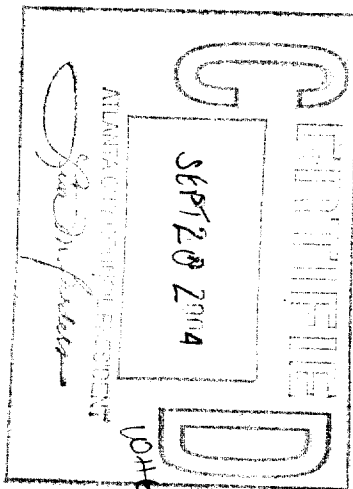
Members

Refer To

Refer To

FINAL COUNCIL ACTION  
☒ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED



MAYOR'S ACTION